



The Town of Hilton Head Island Regular Town Council Meeting

January 21, 2014

4:00 P.M.

AGENDA

**As a Courtesy to Others Please Turn Off All Mobile Devices During
the Town Council Meeting**

- 1) Call to Order**
- 2) Pledge to the Flag**
- 3) Invocation**
- 4) FOIA Compliance** – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5) Proclamations and Commendations**
- 6) Approval of Minutes**
 - a. Town Council Meeting – January 7, 2014
- 7) Report of the Town Manager**
 - a. Semi Annual Update of the Design Review Board – Scott Sodemann, Chairman
 - b. Semi-Annual Update of the Board of Zoning Appeals – Peter Kristian, Chairman
 - c. Town Manager's Items of Interest
 - d. 2013 Town Council Targets and Goals – year end update
- 8) Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
 - c. Report of the Personnel Committee – Lee Edwards, Chairman
 - d. Report of the Planning & Development Standards Committee – John McCann, Chairman
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman
 - f. Report of the Public Safety Committee – Marc Grant, Chairman
 - g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

9) Appearance by Citizens

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2013-26

Second Reading of Proposed Ordinance 2013-26 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, the Hilton Head Plantation Master Plan, specifically rezoning 1.33 acres identified as Parcel 19 on Beaufort County Tax Map 7b to add Medical And Behavioral Health Services as a permitted use on the property and providing for severability and an effective date.

b. Second Reading of Proposed Ordinance 2014-02

Second Reading of Proposed Ordinance 2014-02 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

11) New Business

a. First Reading of Proposed Ordinance 2014-03

First Reading of Proposed Ordinance 2014-03 to amend Title 16, the Land Management Ordinance, of the Municipal Code of The Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, specifically rezoning 6.9 acres identified as Parcels 147B, 438, 147 and 440 on Beaufort County Tax Map 7 from IL, Light Industrial, to RM-4, Low Density Residential, and providing for severability and an effective date.

The agenda item below will be addressed at 5:30 P.M.

b. Consideration of a Recommendation – Yard Debris Options- 5:30 p.m.

Consideration of a Recommendation that the Town Council approve the Public Safety Committee's January 6, 2014 recommendation regarding Yard Debris Options.

12) Executive Session

- a. Land Acquisition**
- b. Legal Matters**
- c. Contractual Matters**

13) Adjournment

THE TOWN OF HILTON HEAD ISLAND

REGULAR TOWN COUNCIL MEETING

Date: Tuesday, January 7, 2014

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Kim Likins, Marc Grant, John McCann, *Council Members*

Absent from Town Council: Lee Edwards, *Council Member*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Lavarn Lucas, *Fire Chief*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Susan Simmons, *Director of Finance*; Jill Foster, *Deputy Director of Community Development*; Julian Walls, *Facilities Manager*; Brian Hulbert, *Staff Attorney*; Jennifer Ray, *Urban Designer*; Jayme Lopko, *Senior Planner*; Jeff Buckalew, *Town Engineer*; Nancy Gasen, *Human Resources Director*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Tom Barton, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA Compliance – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

None.

6) Approval of Minutes

a. Town Council Workshop – November 21-November 23, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the November 21-23, 2013 Town Council Workshop were approved by a vote of 6-0.

b. Town Council Special Meeting – December 10, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the December 10, 2013 Town Council Special meeting were approved by a vote of 6-0.

c. Town Council Workshop– December 11, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the December 11, 2013 Town Council Workshop were approved by a vote of 6-0.

d. Town Council Meeting – December 17, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the December 17, 2013 Town Council regular meeting were approved by a vote of 6-0.

7) Report of the Town Manager

a. Town Manager's Items of Interest

Mr. Riley reported on some items of interest.

8) Reports from Members of Council

a. General Reports from Council

Mr. Harkins reported that the Salty Fare property had gone under contract and will be developed as an assisted living facility. He stated developers will be working with Hilton Head Plantation, The Cypress and Town Staff.

Mayor Laughlin stated he had met with representatives from the Planning Commission regarding their recommendations for the Targets for Action regarding broadband. He said they will be working with ConnectSC to do an assessment and evaluation at no cost to the Town.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

No report.

c. Report of the Personnel Committee – Lee Edwards, Chairman

No Report.

d. Report of the Planning & Development Standards Committee – John McCann, Chairman

No report.

e. Report of the Public Facilities Committee – Kim Likins, Chairman

No Report.

f. Report of the Public Safety Committee – Marc Grant, Chairman

Mr. Grant said they met on January 6 and the Committee recommended that Council, at its January 21st meeting, support a modified Option 4. Specifically, that: (1) Staff's 2-pronged public education effort continue; (2) that the Town provide yard debris drop-off sites on Town-owned property, for one week in the spring (beginning 2014) and one in the fall and that the Town pay for yard debris removal costs from Town-owned property; (3) that staff evaluate the drop-off program after the fall service; and (4) that Town staff facilitate an effort whereby residents and community organizations(s) take the lead to identify those unable to transport yard debris and organize a community-based volunteer program to pick-up yard debris and transport to Town drop-off sites.

g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

Mrs. Likins stated the Committee would be meeting on Thursday, January 9th to continue their review of the drafts.

9) Appearance by Citizens

None.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2013-23

Second Reading of Proposed Ordinance 2013-23 of the Town Of Hilton Head Island, South Carolina, to amend Title 10 of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Franchises), specifically Section 10-5-90; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

b. Second Reading of Proposed Ordinance 2013-25

Second Reading of Proposed Ordinance 2013-25 of the Town Of Hilton Head, South Carolina, to amend Title 9 (Health and Sanitation) of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 6 (Collection of Solid Waste and Recycling); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

c. Second Reading of Proposed Ordinance 2013-28

Second Reading of Proposed Ordinance 2013-28 of the Town of Hilton Head Island, South Carolina, to amend Title 10 of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Franchises), specifically deleting section 10-5-90; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

11) New Business

a. First Reading of Proposed Ordinance 2013-26

First Reading of Proposed Ordinance 2013-26 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, the Hilton Head Plantation Master Plan, specifically rezoning 1.33 acres identified as Parcel 19 on Beaufort County Tax Map 7b to add Medical And Behavioral Health Services as a permitted use on the property and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. Mr. Walt Nestor, Esquire spoke on behalf of the applicant. The motion was approved by a vote of 6-0.

b. Consideration of a Recommendation – Chaplin Linear Park Schematic Master Plan

Consideration of a Recommendation that Town Council approve the Schematic Master Plan for the proposed Chaplin Linear Park to be used to further develop detailed plans for permitting and construction.

Mr. Harkins moved to approve. Mrs. Likins seconded. Mr. McCann stated that he was in support of the project but not the timing. He suggested postponing it until other projects are completed. Frank Babel spoke in support of the plan. The motion was approved by a vote of 5-1 (Mr. McCann was opposed)

c. Consideration of a Recommendation

Consideration of a Recommendation that Town Council approve the attached policy for the dedication and acceptance of private road rights of way to the Town for perpetual maintenance.

Mrs. Likins moved to approve. Mr. McCann seconded. Mr. Richard Jackson spoke in support of the policy. The motion was approved by a vote of 6-0.

d. First Reading of Proposed Ordinance 2014-02

First Reading of Proposed Ordinance 2014-02 to amend the budget for the Town Of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

Mr. Riley stated as a result of first reading the Town will go forward with the process of awarding the bid.

12) Executive Session

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to land acquisition; including a possible sale of town-owned land; and legal matters pertaining to potential litigation.

At 4:47 p.m. Mr. Harkins moved to go into Executive Session for the reasons given by the Town Manager. Mr. McCann seconded. The motion was approved by a vote of 6-0.

Mayor Laughlin called the meeting back to order at 5:40 p.m. and stated there was no business as a result of the Executive Session.

13) Adjournment

Mr. Williams moved to adjourn. Mr. Harkins seconded. The motion was approved by a vote of 6-0. The meeting was adjourned at 5:41 p.m.

Vicki Pfannenschmidt,
Executive Assistant/Town Clerk

Approved:

Drew A. Laughlin, Mayor



Items of Interest

January 21, 2014

1. Town News

The Hilton Head Firefighters Association (HHFA) donated in excess of \$40,000.00 to local and fire service charities in 2013. Those charities included:

1. Operation R&R
2. Boys and Girls Club of the Lowcountry - Hilton Head Island Club
3. Programs for Exceptional People (PEP)
4. Memory Matters
5. National Fallen Firefighters Association

The HHFA could not have raised the funds without your support of and participation at HHFA events. The HHFA appreciates your continued support and looks forward to another great year in 2014!

(Contact Chad McRorie, Operations Captain at (843)-363-3980 or chadm@hiltonheadislandsc.gov)

The Town of Hilton Head Island Financial Statements for the period ending November 30, 2013 including the Financial Dashboard have been posted on the Town's website. You can view them at www.hiltonheadislandsc.gov

(Contact: Susan Simmons, Director of Finance at 843-341-4645 or susans@hiltonheadislandsc.gov)

2. Noteworthy Events

- a) Some of the upcoming meetings at Town Hall:
- Intergovernmental Relations Committee – January 27, 2014, 10:00 a.m.
 - Board of Zoning Appeals - January 27, 2014, 2:30 p.m.
 - Design Review Board – January 28, 2014, 1:15 p.m.
 - Planning Commission – January 29, 2014, 3:00 p.m.
 - Planning Commission Zoning Workshop – January 29, 2014 – 6:00 p.m.
 - LMO Rewrite Committee – January 30, 2014, 8:30 a.m.
 - Public Safety Committee – February 3, 2014, 10:00 a.m.
 - Public Projects and Facilities Committee – February 4, 2014, 2:00 p.m.
 - Town Council – February 4, 2014, 4:00 p.m.

(Meetings subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for meeting agendas.

2013 Policy Agenda Year End Recap

Top Priority

Target	Chief Contact	Comments
<ul style="list-style-type: none"> Economic Development Organization: Creation and Operation 	Shawn Colin	EDC creation is complete. EDC was chartered and began meeting in late August, selected officers and approved its meeting schedule. Orientation and background has been provided to the group. A Strategic Planning Workshop for the EDC is scheduled January 13th and 14 th to assist EDC in developing an agenda/work plan/program aligned with Town Council goals and recommend for execution.
<ul style="list-style-type: none"> Coligny Area Development Projects: Direction and Funding 	Shawn Colin/ Jennifer Ray	Coligny Concept alternative plans were presented to Town Council's Public Facilities Committee in October. Nine were selected for implementation. As the focus of USCB has shifted toward the Office Park Toad location Town Council has recommended a new look be taken with regard to redevelopment opportunities in the Coligny area. Any significant redevelopment efforts by the Town are likely to require extension of the Town's current TIF district.
<ul style="list-style-type: none"> Arts Collaboration: Framework and Strategy for Fostering Collaboration among Arts Organizations 	Jill Foster	To date, The Cultural Planning Group has conducted 2 week-long site visits holding over 50 interviews with profit and non-profit arts groups and elected leaders, held 6 Community Conversations, conducted a web-based survey with over 2100 responses, and attended a Council workshop.
<ul style="list-style-type: none"> Arts Center of Coastal Carolina: Short-Term Financial Direction 	Steve Riley	Completed
<ul style="list-style-type: none"> Chaplin Linear Park and Boardwalk: Development and Permitting 	Jennifer Ray	Schematic Master Plan approved by TC January 7, 2014. Consultant moving forward with detailed design and construction plans for phase 1.

High Priority

Target	Chief Contact	Comments
<ul style="list-style-type: none"> LMO Modifications 	Teri Lewis	The LMO Rewrite draft is currently going through the adoption process with an expected adoption date of early Spring.
<ul style="list-style-type: none"> Aging Office Buildings & Commercial Centers: Policy Direction and Town Tools 	Charles Cousins	LMO rewrite continues with a focus on creating more flexible regulations with non-conforming developments.
<ul style="list-style-type: none"> Recreation Center Expansion: Direction on Future Phases 	Jill Foster	Lee and Parker has revised the master plan and presented it at a Town Council Workshop. The revision will be presented to Council for formal approval in the next few months.
<ul style="list-style-type: none"> Mainland Transportation Agreement: Dirt Road Policy Direction, Flyover Funding, and Future Town Acceptance of Private Roads Direction and Funding 	Scott Liggett	Completed. Council endorsed the concept of contributing up to \$1 million for aesthetic enhancements to the flyover project. Funding to be proposed as part of subsequent years' budgets as necessary. Also a policy statement for the dedication of private rights of way was reviewed and approved by Council.
<ul style="list-style-type: none"> Solid Waste Contract: Direction 	Scott Liggett	Completed. Franchise agreement to be terminated effective April 1, 2014

Moderate Priority		
Target	Chief Contact	Comments
<ul style="list-style-type: none"> Beaufort County Strategy: Issues, Positions, Dialogue 	Steve Riley	Ongoing
<ul style="list-style-type: none"> Recreation Organization, Management and Performance Audit 	Jill Foster	Town Council discussed this at their annual workshop.
2013 Management Agenda Year End Recap		
Target	Chief Contact	Comments
<ul style="list-style-type: none"> Airport Issues: Resolution 	Charles Cousins/ Teri Lewis	Staff has identified potential amendments that are needed to the LMO to accommodate the airport; staff is working with the County on these changes.
<ul style="list-style-type: none"> Reassessment and Tax Rate Limitations: Direction and Public Information 	Susan Simmons	Staff worked with the County and its local governments to share information and improve communication to the public and Council. Staff provided reassessment information and links on the Town's website. As a result, the Town received only a few calls for additional information. The roll-forward millage was smoothly implemented in the Fall.
<ul style="list-style-type: none"> Shelter Cove Area Public Projects: Construction 	Heather Colin/ Scott Liggett	Town Council approved the Concept Plan for the elements to include in the park design.
<ul style="list-style-type: none"> Tax Increment Financing District: Study Extension 	Shawn Colin	Options have been discussed internally and outreach to other taxing entities has been completed. Additional details and meetings to work toward approval of extension are anticipated the first half of 2014 to coincide with budget development.
<ul style="list-style-type: none"> Employee Compensation and Benefits: Review and Direction 	Greg DeLoach/ Nancy Gasen	Study consultant Evergreen Solutions is developing class specifications and evaluating data collected during the study process. Final study recommendations are anticipated during 1 st quarter.
<ul style="list-style-type: none"> Posting of Quarterly Financial Reports Online: Purpose, Method, and Funding 	Greg DeLoach/ Susan Simmons	Financial statements and dashboards are posted monthly on the Town's website. This improvement was implemented by Finance and IT staff saving the Town significant consultant cost. Staff will continue to evaluate whether additional dashboard data can be designed and maintained within current resources.
<ul style="list-style-type: none"> Beach Renourishment (2015): Scoping, Designing and Permitting 	Scott Liggett	Partially completed. Proposed project limits reviewed and approved by Council. Design and permitting are on-going.
<ul style="list-style-type: none"> Old Welcome Center Building: Direction 	Scott Liggett	Completed, building demolished.

**CIP Report
Year End Recap**

Project	Chief Contact	Comments
<ol style="list-style-type: none"> 1. Leg O' Mutton Road Pathway 2. Wm. Hilton Parkway – Wexford Drive to Fresh Market Shoppes Pathway 3. Fire Station #6 4. Wm. Hilton Parkway / Leamington Intersection Improvements 5. Rowing and Sailing Center 6. Island Recreation Center Improvements – Phase 1 7. Hospital Center Blvd./ Main St. Intersection Improvements 8. Pedestrian Crosswalks (3 locations) and WHP left turn lane at Circle K (Yacht Cove Drive area) 9. Welcome Center demolition 10. Wm. Hilton Parkway Mast Arm Projects 11. Pembroke Drive and Gardner Drive Pathways 12. Lemoyne Avenue 	<p>Scott Liggett</p>	<ol style="list-style-type: none"> 1. Complete 2. Complete 3. Under Construction. To be completed summer 2014 4. Under Construction. To be completed winter 2014 5. Dock contract award is pending. Bids due for upland improvements January 2014. Construction scheduled for completion in fall 2014 6. Complete 7. Complete 8. Complete 9. Complete 10. Under Construction. 11. Under Construction. 12. Project deferred



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri B. Lewis, AICP, *LMO Official*
FROM: Jayme Lopko, AICP, *Senior Planner*
CC: Charles Cousins, AICP, *Community Development Director*
DATE: January 8, 2014
SUBJECT: ZMA130006 – Main Street Inn

Town Council made no changes to proposed Ordinance No. 2013-26 as a result of first reading on January 7, 2014.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2013-

PROPOSED ORDINANCE NO. 2013-26

AN ORDINANCE TO AMEND TITLE 16, THE LAND MANAGEMENT ORDINANCE, OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP, THE HILTON HEAD PLANTATION MASTER PLAN, SPECIFICALLY REZONING 1.33 ACRES IDENTIFIED AS PARCEL 19 ON BEAUFORT COUNTY TAX MAP 7B TO ADD MEDICAL AND BEHAVIORAL HEALTH SERVICES AS A PERMITTED USE ON THE PROPERTY AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance (the "LMO"); and

WHEREAS, the Town Council now finds that, upon further review of application ZMA130006, it is in the public interest that the subject 1.33 acre parcel be rezoned to add Medical and Behavioral Health Services as a permitted use on the property; and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on November 20, 2013, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 7-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance; and

WHEREAS, the Planning and Development Standards Committee held a public meeting on December 5, 2013, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 3-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance; and

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SC; AND IT IS ORDAINED BY SAID AUTHORITY OF COUNCIL:

Section 1. Amendment. That the official zoning map of the Town of Hilton Head Island, as referenced by Section 16-4-102 of the Land Management Ordinance, be, and the same hereby amended as follows:

The 1.33 acres identified as parcel 19 on Beaufort County Tax Map 7B be rezoned to add Medical and Behavioral Health Services as a permitted use on the property.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____ 2014.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Drew Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

Public Hearing: November 20, 2013

First Reading: January 7, 2014

Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, Town Manager

VIA: Susan Simmons, Director of Finance

DATE: January 8, 2014

RE: **Second Reading of Proposed Ordinance No. 2014-02**

Recommendation:

Staff recommends Council approve second reading of Proposed Ordinance No. 2014-02 amending fiscal year 2014 General Fund' budget for the removal of two abandoned boats.

There have been no changes since first reading.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2014-02

AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2014; TO PROVIDE FOR THE EXPENDITURES OF CERTAIN FUNDS; AND TO ALLOCATE THE SOURCES OF REVENUE FOR THE SAID FUNDS.

WHEREAS, Section 5-7-260 of the Code of Laws of South Carolina requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, the Town Council did adopt the budget on June 18, 2013, and

WHEREAS, pursuant to the budget amendment policy as stated in the Town's annual budget document, the Town Council is desirous of amending the budget so as to provide for the expenditures and certain other commitments from the Fund Balance in the General Fund.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1 Amendment. The adopted 2014 fiscal year budget is amended to make the following changes as increases and decreases to the funds from prior years and to the projected revenue and expenditure accounts as follows:

General Fund

<u>Account Description</u>	<u>Source of Funds</u>	<u>Amount</u>
Revenues:		
Funds From Prior Years		\$ 175,000
Total Revenues		\$ 175,000
Expenditures:		
PP&F/Facilities Mgmt. - Operating		
Abandoned, Demo, and Clean Up of Property	Funds From Prior Years	\$ 175,000
Total Expenditures		\$ 175,000

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2014-02

The effect of this amendment will be to increase the General Fund to \$35,300,434. The Capital Projects Fund at \$25,333,270, the Debt Service Fund at \$17,050,403 and the Enterprise Fund at \$5,152,835 remain unchanged.

Section 2 Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 Effective Date. This Ordinance shall be effective upon its enactment by the Town Council of the Town of Hilton Head Island on this _____ day of _____, 2014.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2014.**

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt
Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri B. Lewis, *AICP, LMO Official*
FROM: Anne Cyran, *AICP, Senior Planner*
CC: Charles Cousins, *AICP, Community Development Director*
DATE: January 9, 2014
SUBJECT: ZMA130008 – The Reserve at Old House Creek

Recommendation: The Planning & Development Standards Committee met on January 8, 2014 at 3:00 PM to review the attached application for Zoning Map Amendment (ZMA130008) and voted 3-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance.

The Planning Commission met on January 8, 2014 at 9:00 AM to review the attached application for Zoning Map Amendment (ZMA130008) and voted 6-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance.

Staff recommends that Town Council approve the attached application, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance.

Summary: A request from Tim Wright, the property owner, to amend the Official Zoning Map by changing the zoning designation of four parcels from the IL (Light Industrial) Zoning District to the RM-4 (Low Density Residential) Zoning District. The parcels are further identified on Beaufort County Tax Map 7 as Parcels 147B, 438, 147 and 440. Parcel 147B is owned by the Town of Hilton Head Island.

Background: Tim Wright is proposing to combine the subject parcels with adjacent parcels in the RM-4 Zoning District to create a residential development on Old House Creek. The subject parcels are undeveloped except for a lift station recently constructed on Parcel 147B. Santee Cooper-owned power lines are located on Parcels 438, 147 and 440. Parcel 147 also contains an unimproved access road. The subject parcels are surrounded by parcels in the IL and RM-4 Zoning Districts.

The maximum allowed density, maximum impervious coverage, minimum open space, setbacks and buffers would change as a result of the proposed rezoning. The permitted uses would change from primarily commercial and industrial uses to primarily residential and public and civic uses.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2014-

PROPOSED ORDINANCE NO. 2014-03

AN ORDINANCE TO AMEND TITLE 16, THE LAND MANAGEMENT ORDINANCE, OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP, SPECIFICALLY REZONING 6.9 ACRES IDENTIFIED AS PARCELS 147B, 438, 147 AND 440 ON BEAUFORT COUNTY TAX MAP 7 FROM IL, LIGHT INDUSTRIAL, TO RM-4, LOW DENSITY RESIDENTIAL, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance (the "LMO"); and

WHEREAS, the Town Council now finds that, upon further review of application ZMA130008, it is in the public interest that the subject 6.9 acre parcels be rezoned from IL (Light Industrial) to RM-4 (Low Density Residential); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 6-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance; and

WHEREAS, the Planning and Development Standards Committee held a public meeting on January 8, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 3-0-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance; and

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SC; AND IT IS ORDAINED BY SAID AUTHORITY OF COUNCIL:

Section 1. Amendment. That the official zoning map of the Town of Hilton Head Island, as referenced by Section 16-4-102 of the Land Management Ordinance, be, and the same hereby amended as follows:

The 6.9 acres identified as parcels 147B, 438, 147 and 440 on Beaufort County Tax Map 7 be rezoned from IL, Light Industrial, to RM-4, Low Density Residential.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____ 2014.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Drew Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

Public Hearing: January 8, 2014
First Reading: January 21, 2014
Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
-----------------------	------------------------------	--------------	------------------

STAFF REPORT ZONING MAP AMENDMENT

Application Number	Name of Project	Public Hearing Date
ZMA130008	The Reserve on Old House Creek	January 8, 2014

Parcel Data	Owner Parcel 147B	Owner & Applicant Parcels 438, 147 & 440
<p><u>Tax Map ID:</u> Map 7, Parcels 147B, 438, 147 & 440</p> <p><u>Address:</u> 330 Spanish Wells Road and non-addressed parcels</p> <p><u>Parcel 147B:</u> 2.4 acres</p> <p><u>Parcel 438:</u> 0.4 acres</p> <p><u>Parcel 147:</u> 3.2 acres</p> <p><u>Parcel 440:</u> 0.9 acres</p>	<p>Town of Hilton Head Island One Town Center Court Hilton Head Island SC 29928</p>	<p>Tim Wright The Paddocks, LLC PO Box 2210 Bluffton SC 29910</p>
Existing	Proposed	
<p><u>Zoning Districts</u> IL (Light Industrial)</p> <p><u>Applicable Overlay District</u> COR (Corridor Overlay District)</p> <p><u>Maximum Allowed Density</u> 12,000 square feet of Warehouse per acre 10,000 square feet of Other Uses per acre</p> <p><u>Maximum Allowed Height</u> 35 feet</p> <p><u>Maximum Impervious Coverage</u> 65%</p>	<p><u>Zoning Districts</u> RM-4 (Low Density Residential)</p> <p><u>Applicable Overlay District</u> COR (Corridor Overlay District)</p> <p><u>Maximum Allowed Density</u> 4 Residential Density Units per acre 6,000 Nonresidential square feet per acre</p> <p><u>Maximum Allowed Height</u> 35 feet</p> <p><u>Maximum Impervious Coverage</u> 35%</p>	

<u>Minimum Open Space</u> 25%	<u>Minimum Open Space</u> 65% up to 4 Density Units per acre 55% over 4 Density Units per acre 55% nonresidential
<u>By Right and Conditional Uses (Attachment D)</u>	<u>By Right and Conditional Uses (Attachment D)</u>

Application Summary

This application is a request from Tim Wright, the property owner, to amend the Official Zoning Map by changing the zoning designation of four parcels from the IL (Light Industrial) Zoning District to the RM-4 (Low Density Residential) Zoning District. The parcels are further identified as Parcels 147B, 438, 147 & 440 on Beaufort County Tax Map 7.

Staff Recommendation

Staff recommends that the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Background

Tim Wright is proposing to rezone the subject parcels and combine them with adjacent parcels in the RM-4 Zoning District to create a residential development on Old House Creek.

The Hilton Head Public Service District recently constructed a lift station in the corner of Parcel 147B, but the parcel is otherwise undeveloped. Santee Cooper-owned power lines are located on Parcels 438, 147 and 440. Parcel 147 also contains an unimproved access road.

The maximum allowed density, maximum impervious coverage, minimum open space, setbacks and buffers, and permitted uses would change as a result of the proposed rezoning. The allowed density would change from 12,000 square feet of warehouse or 10,000 square feet of other nonresidential development per acre to 6,000 feet of nonresidential development or four residential density units per acre. The maximum impervious coverage would decrease by about half and the minimum open space would more than double as a result of the rezoning.

The subject parcels are surrounded by parcels in the IL and RM-4 Zoning Districts. The adjacent use setbacks will decrease from 30 feet to 20 feet where the subject parcels are adjacent to parcels in the RM-4 Zoning District. The adjacent use setbacks will increase from 20 feet to 30 feet where the subject parcels are adjacent to parcels in the IL Zoning District. The adjacent use buffers will decrease from 25 feet to 20 feet where the subject parcels are adjacent to parcels in the RM-4 Zoning District. The adjacent use buffers will increase from 20 feet to 25 feet where the subject parcels are adjacent to parcels in the IL Zoning District. The adjacent street setback and buffer will remain the same for parcels with frontage on Spanish Wells Road.

The permitted uses would change considerably as a result of rezoning from IL to RM-4. (See

Attachment D). Permitted uses will change from primarily commercial and industrial uses to primarily residential and public and civic uses.

Applicant's Grounds for ZMA

The applicant states this application would allow for the subject parcels to be combined with adjacent parcels in the RM-4 Zoning District and developed into an approximately 39 lot residential subdivision, which would be a much needed upscale housing project in the Ward I area. Without the combination of the parcels, most of the subject parcels would be too small to be developed and the adjacent parcels on Old House Creek would remain undeveloped due to inadequate street access.

The applicant states the proposed development would be well separated from adjacent light industrial uses by a 50 foot street right of way, adjacent use setbacks and a drainage easement on Parcel 147B.

The applicant states Parcels 438 and 440 are not marketable because they are too small to be developed. Parcel 147 is large, but is too narrow to be developed and therefore it isn't marketable. In addition, all of the parcels are covered by utility easements that allow no permanent structures on the parcels. If these parcels are combined with larger adjacent parcels, they could provide access and a storage area for a proposed residential development.

The applicant states Parcel 147B has questionable marketability due to the 50 foot wide drainage easement running from the front to the back of the parcel and the lift station in the corner of the parcel.

Summary of Facts and Conclusions of Law

Findings of Fact:

1. Notice of the Application was published in the Island Packet on November 24, 2013 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
2. Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
3. A public hearing will be held on January 8, 2014 as set forth in LMO Section 16-3-1504A.
4. The Commission has authority to render their decision reached here in LMO Section 16-3-1504.

Conclusion of Law:

1. The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO Sections 16-3-110, 16-3-111 and 16-3-1504.

As set forth in Section 16-3-1505, Zoning Map Amendment Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:

Summary of Facts and Conclusions of Law

Criteria 1: Consistency (or lack thereof) with the Comprehensive Plan (LMO Section 16-3-1505A):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Natural Resources Element

Implication for the Comprehensive Plan – Water Quality and Quantity

The data collected on the local, regional and national scale suggests that the current development strategies can have a negative impact on water quality. The Town needs to continue to make water quality and quantity a high priority by encouraging water conservation, reducing impervious surfaces, encouraging environmentally sound drainage and flood control practices, as well as sustainably manage stormwater for small and large scale development.

Goal 3.3 - Protect Quality of Life through Environmental Preservation

D. The goal is to preserve open space (including improvement and enhancement of existing).

Land Use Element

Goal 8.1 - Existing Land Use

A. The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

Goal 8.4 - Existing Zoning Allocation

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.5 – Land Use Per Capita

A. The goal is to have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

Goal 8.10 - Zoning Changes

A. The goal is to provide appropriate modifications to the Zoning designations to meet market demands while maintaining the character of the Island.

Conclusions of Law:

1. Staff concludes that this application is consistent with the Comprehensive Plan, as described in the Natural Resources and Land Use Elements as set forth in LMO Section 16-3-1505A.
2. The RM-4 zoning district allows less impervious surface and requires more open space in development which will provide more protection of natural resources and water quality measures in any proposed development.
3. This application would add RM-4 parcels to an area mixed with RM-4 and IL zoning. The parcels proposed for rezoning will provide for access to existing RM-4 parcels and enable their development into a subdivision. This will provide single family housing in the area to meet the needs of the population while still maintaining the mixed use character of the neighborhood.

Summary of Facts and Conclusions of Law

Criteria 2: Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood (LMO Section 16-3-1505B):

Findings of Fact:

1. Surrounding parcels are located in the RM-4 or IL Zoning Districts.
2. The parcels to the north, west and east of the subject parcels that are developed contain single family residences.
3. The parcels directly to the south of the subject parcels are used for storage.
4. The parcels further south of the subject parcels are developed into a light industrial park which contains contractors' offices, auto repair, wholesale sales and a taxicab service.
5. The subject parcels are in an area where properties in the RM-4 Zoning District are adjacent to properties in the IL Zoning District.
6. There are no nonconforming uses on the subject parcels.

Conclusions of Law:

1. Staff concludes that the subject parcels are compatible with the present zoning, the conforming uses of nearby property and the character of the neighborhood as set forth in LMO Section 16-3-1505B.
2. The subject parcels are surrounded on three sides by parcels in the RM-4 Zoning District and the rezoning will make the subject parcels more compatible with the surrounding residential uses.
3. Any existing incompatibility between parcels in the RM-4 and IL Zoning Districts will not be increased because the parcels in the IL Zoning District with existing industrial uses will remain adjacent to parcels in the RM-4 Zoning District.
4. Since there are no nonconforming uses on the subject parcels, the proposed rezoning will not affect the parcels' compliance with the Land Management Ordinance.

Summary of Facts and Conclusions of Law

Criteria 3: Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment (LMO Section 16-3-1505C):

Findings of Fact:

1. The uses permitted in the RM-4 Zoning District are generally residential and public/civic uses. Minor utilities are also permitted.
2. Parcel 147B is an undeveloped, 2.4 acre site with frontage on Spanish Wells Road.
3. Parcels 438 and 440 are both less than one acre in size and lack direct access to an improved street.
4. Parcel 147 is 3.2 acres but it is very narrow.

Conclusions of Law:

1. Staff concludes that the subject parcels are suitable for the uses that would be permitted by the proposed rezoning as set forth in LMO Section 16-3-1505C.
2. Parcel 147B could support residential or public/civic development due to its size and access to a minor arterial.
3. Parcels 438 and 440 lack direct access to an improved street. Parcels 438 and 440 are too small and Parcel 147 is oddly shaped to develop on their own, but if they are combined with larger adjacent parcels, they could be developed for residential and public/civic uses.

Summary of Facts and Conclusions of Law

Criteria 4: Suitability of the property affected by the amendment for uses permitted by the district applicable to the

property at the time of the proposed amendment (LMO Section 16-3-1505D):

Findings of Fact:

1. The subject parcels are in the IL Zoning District.
2. Permitted uses in the IL Zoning District are primarily commercial and industrial uses. Minor utilities are also a permitted use.
3. Though undeveloped apart from a lift station, Parcel 147B has frontage on Spanish Wells Road and is about the same size as adjacent parcels developed for light industrial uses.
4. Parcel 438 is too small to be developed for any use other than the minor utility it contains and it lacks direct access to an improved street.
5. Parcel 147 is too narrow to be developed for any use other than the road and minor utility it contains.
6. Parcel 440 is too small to be developed for most light industrial uses and it lacks direct access to an improved street.

Conclusions of Law:

1. Staff concludes that Parcel 147B is suitable for the uses permitted in the IL Zoning District as set forth in LMO Section 16-3-1505D because it is large enough to reasonably develop for many of the uses in the IL Zoning District.
2. Staff concludes that Parcels 438, 147 and 440 are not suitable for the uses permitted in the IL Zoning District as set forth in LMO Section 16-3-1505D because they are too small or oddly shaped to reasonably develop for most uses in the IL Zoning District. Parcels 438 and 440 also lack direct access to an improved street.

Summary of Facts and Conclusions of Law

Criteria 5: Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505E):

Findings of Fact:

1. Parcel 147B is an undeveloped 2.4 acre site with frontage on Spanish Wells Road.
2. Parcels 438 and 440 are developed with minor utilities, are less than one acre in size and lack direct access to an improved street.
3. Parcel 147 is developed with a minor utility, and is 3.2 acres in size but is very narrow.

Conclusions of Law:

1. Staff concludes that the marketability of the parcels could be improved as set forth in LMO Section 16-3-1505E.
2. The marketability of Parcel 147B could be affected by the proposed rezoning.
3. Based on the size and accessibility to Parcels 438, 147 and 440, they cannot be reasonably developed for industrial uses, and therefore the proposed rezoning would increase their marketability.

Summary of Facts and Conclusions of Law

Criteria 6: Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use (LMO Section 16-3-1505F):

Findings of Fact:

1. The subject parcels have adequate water and sewer service.

2. When the parcels are developed, a letter from the Hilton Head Island Public Service District confirming their ability to meet the water and sewer demands of the development would be required as part of the application review.
3. When the parcels are developed, the Town's engineering staff would confirm as part of the application review that the site would be able to meet the LMO's stormwater performance standards.

Conclusion of Law:

1. Staff concludes that the property has adequate access to water and sewer facilities and will be required to have stormwater facilities suitable for the proposed uses as set forth in LMO Section 16-3-1505F.

LMO Official Determination

Staff determines that this application is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

AC

Anne Cyran, AICP
Senior Planner

December 12, 2013

DATE

REVIEWED BY:

TL

Teri B. Lewis, AICP
LMO Official

December 16, 2013

DATE

REVIEWED BY:

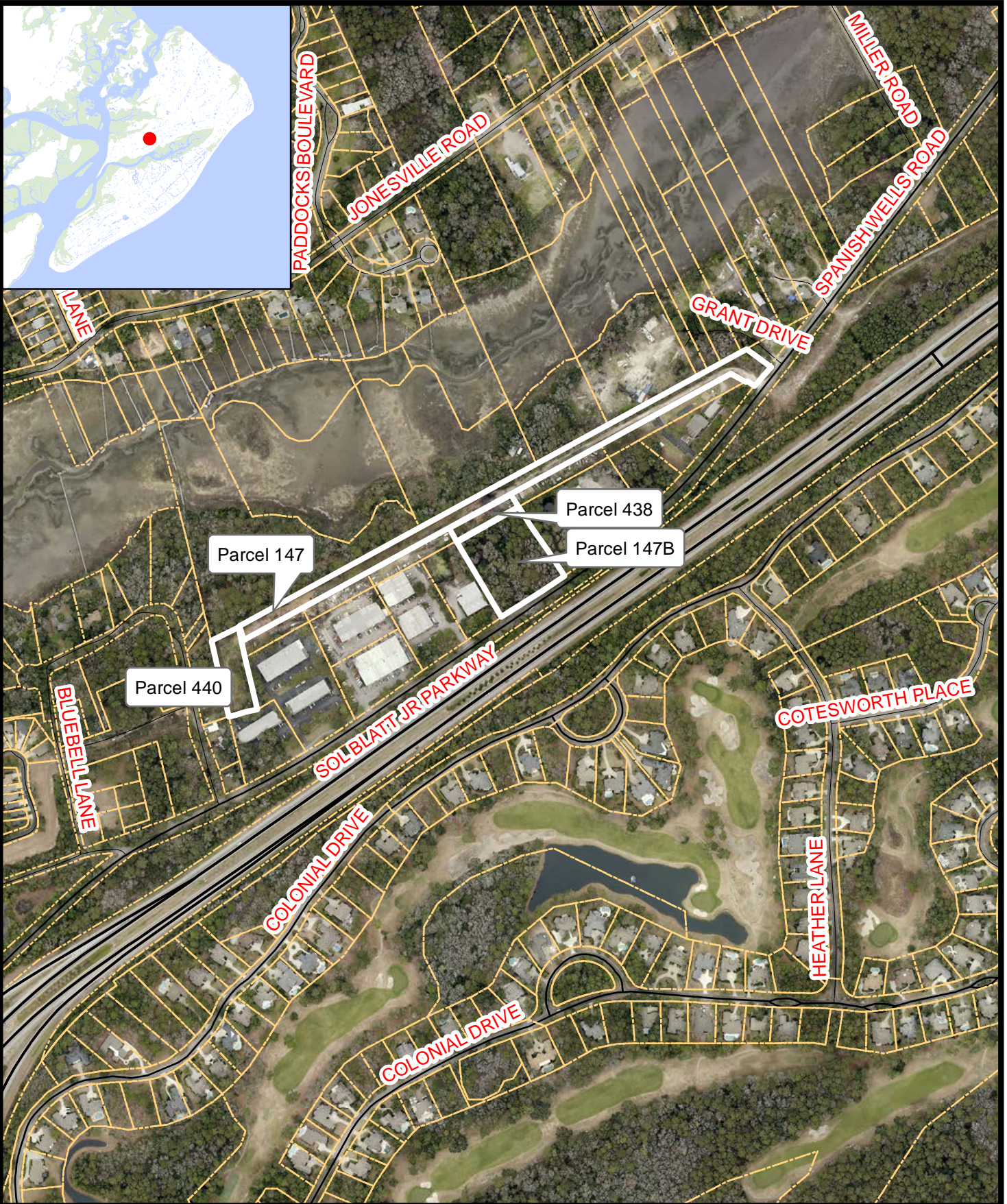
Jayne Lopko, AICP

Senior Planner & Planning Commission Board Coordinator

DATE

Attachments:

- A) Aerial Photo
- B) Zoning Map
- C) Applicant's Narrative
- D) By Right and Conditional Uses



Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
(843) 341-6000

The Reserve at Old House Creek
ZMA130008

Attachment A - Aerial Photo

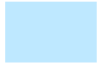


1 inch = 535 feet



This information has been compiled from a variety of unver-
ified
general sources at various times and as such is intended to be used
only as a guide. The Town of Hilton Head Island
assumes no liability for its accuracy or state of completion.

Legend



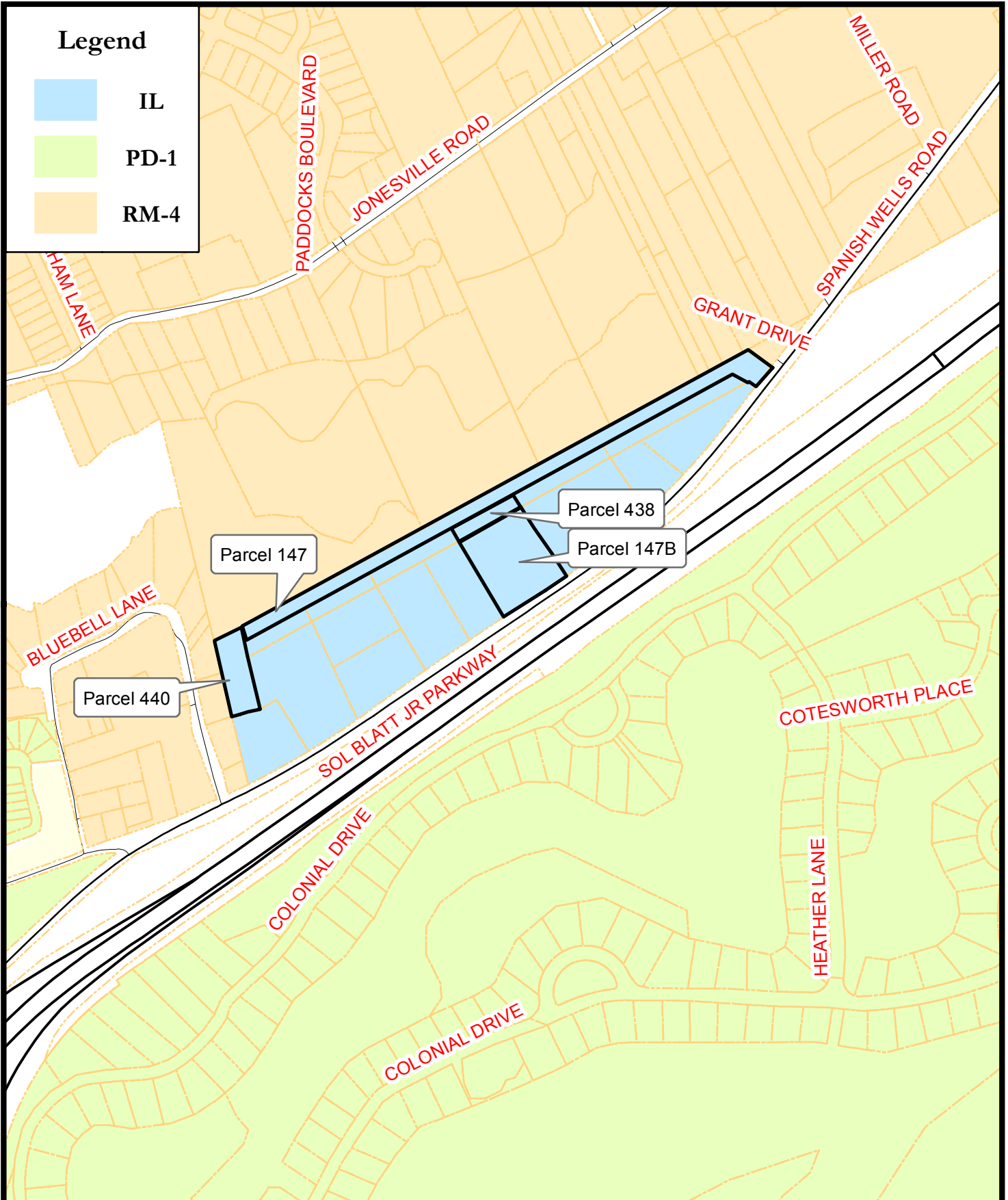
IL



PD-1



RM-4



Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
(843) 341-6000

The Reserve at Old House Creek ZMA130008

Attachment B - Zoning Map

0 300 600 900 1,200 Feet

1 inch = 535 feet



This information has been compiled from a variety of unver-
ified
general sources at various times and as such is intended to be used
only as a guide. The Town of Hilton Head Island
assumes no liability for its accuracy or state of completion.

Paddocks, LLC

P.O. Box 2210- Bluffton, SC 29910 / 843.645.4446 / TW81551@aol.com

Re: Re-Zoning Request for Parcels(s) R510 007 000 0438, R510 007 000 0147 & R510 007 000 ~~0098~~ ⁰⁴⁴⁰

In making recommendation regarding amendments to the zoning map, the commission shall consider and make findings on the following matters regarding the proposed amendment:

- A. By allowing rezoning from OCIL(Office/ Light Commercial) to RM-4 of the above referenced parcel(s), it will allow a proposed 50' 'right-of-way' street to the proposed 39+/- lot 'single family' development. This will allow a much needed upscale housing project in the Ward I area.
- B. The proposed street will not interfere with the existing Spanish Wells Commercial Park. A 65' buffer will exist between the eastern street 'right-of-way' and the rear boundary line of the Commercial Park. The proposed subdivision will have a 20' setback tree buffer from edge of power line and a 50' street 'right-of-way'. This will create a 135' +/- separation from the western rear boundary of the Commercial Park, and future homes in the proposed 'single family' development.
- C. A dirt/gravel road exists in this 50' western section of 50' by 1,215' section of the power line 'right-of-way', which was allowed Central Electric Coop on May 13th, 1996 to Jarvis Creek, LLC, now named Paddocks, LLC.
- D. Streets and drives are the only permitted uses for this area.
- E. The marketability of the property is "zero". The restriction of the power line 'right-of-way' limits to no permanent structures allowed in 'right-of-way' only temporary equipment storage and roadways.
- F. Water and sewer is available for this area.

Paddocks, LLC

P.O. Box 2210- Bluffton, SC 29910 / 843.645.4446 / TW81551@aol.com

Re: Rezoning Request for R510 007 000 0147B (2.40 acre parcel- Spanish Wells Road)

In making recommendations regarding amendments to the zoning map, the commission shall consider and make findings on the following matters regarding the proposed amendment:

A. By rezoning this 2.40 acre parcel from the present OCIL(Office/ Light Commercial) to the RM-4 will help create a much needed housing development in this section of Ward I.

B. Housing should not interfere with the existing commercial business park, and trailer park on the Blue Bell Lane.

The required 40' setback for OCIL to RM-4 will present a large undisturbed buffer between future homes and 'right-of-way' street.

C. The property consists of a total acreage of 2.40 acres. The proposed use of this property to be developed as 0.93 acre(s) designated to open space, 0.82 acre(s) proposed 'single family' lots, 0.40 acre(s) designated for street 'right-of-way', and 0.06 acre(s) for the existing Hilton Head Public Service District Lift Station. This will leave 0.25 acre(s) to construct a proposed 30' drainage easement.

D. This property has a natural drainage swale, which at one time allowed drainage from Spanish Wells Road through property to the marsh at Old House Creek.

The state highway department in 1995, installed three 36" RCP - in place of the old 18" RCP- under Spanish Wells Road to allow for future drainage from the Cross Island Parkway through this parcel to the marsh at Old House Creek.

In 1996, the state highway department re-routed the drainage through another area of the parkway. As the developer of this tract, A 30' drainage easement will be created from existing 36" pipes through this tract - as well as Parcels R510 007 000 0438 & R510 007 000 0147(owned by Paddocks, LLC)- and on to the marsh at Old House Creek, for future Town of HHI drainage projects. This area needed for the 30' drainage easement, and it's location thru this parcel as well as the existing PSD lift station would limit the area needed for parking and buildings area- with the required setback requirements.

E. Marketability of this property would be very questionable, with the 30' drainage easement along with the existing HHPSD lift station.

F. Water and Sewer is available for this area.

ZMA130008, The Reserve on Old House Creek
Attachment D – By Right and Conditional Use Table

Blank = Not Permitted P = Permitted By Right SE = Permitted by Special Exception
PC = Permitted with Conditions

Use	IL	RM-4
Residential Uses		
Group Living		PC
Household Living		
Single Family		P
Multifamily Residential		P
Manufactured Housing Park		PC
Public and Civic Uses		
Aviation/Surface Passenger Terminal	SE	
Educational Facilities		
Schools, Public or Private		SE
Government Facilities	P	PC
Institutions		
Religious Institutions	PC	PC
Other Institutions		SE
Parks and Open Space		
Cemetery		P
Park, Community		SE
Park, Linear		P
Park, Mini		P
Park, Neighborhood		P
Park, Special Use		P
Utilities		
Major Utility	P	SE
Minor Utility	P	P
Telecommunications Facility	PC	PC
Waste Treatment Plant	SE	SE
Commercial Uses		
Eating Establishments		
With Seating, High Turnover	PC	
Without Seating	P	

ZMA130008, The Reserve on Old House Creek
Attachment D – By Right and Conditional Use Table

Blank = Not Permitted P = Permitted By Right SE = Permitted by Special Exception
PC = Permitted with Conditions

Use	IL	RM-4
Commercial Uses		
Resort Accommodation		
Bed and Breakfast Inn		SE
Inn		SE
Retail Sales and Service		
Community Theater	PC	
Dance Studio	PC	
Funeral Home	P	
Furniture Store	P	
Hardware, Paint, Glass, Wallpaper or Flooring Store	P	
Kennel, Boarding	P	
Landscape Nursery	P	
Veterinary Hospital	P	
Watercraft Sales, Rental or Service	P	
Vehicle Sales and Services		
Auto Rental	P	
Auto Repair	P	
Auto Sales	PC	
Car Wash	P	
Taxicab Service	P	
Towing Service	P	
Truck or Trailer Rental	PC	
Industrial Uses		
Aviation Services	PC	
Light Industrial Services		
Contractor's Office	P	
Other Light Industrial Service	P	
Manufacturing and Production		
Other Manufacturing and Production	P	

ZMA130008, The Reserve on Old House Creek
Attachment D – By Right and Conditional Use Table

Blank = Not Permitted P = Permitted By Right SE = Permitted by Special Exception
PC = Permitted with Conditions

Use	IL	RM-4
Industrial Uses		
Warehouse and Freight Movement		
Moving and Storage	P	
Self-Service Storage	P	
Warehousing	P	
Waste Related Service	P	
Wholesale Sales		
Contractor's Materials	P	
Wholesale Business	P	
Wholesale Business with Accessory Retail Outlet	PC	
Other Uses		
Agriculture		P



TOWN OF HILTON HEAD ISLAND

MEMORANDUM

TO: Steve Riley, ICMA~CM, Town Manager

FROM: Greg DeLoach, Assistant Town Manager; Julian Walls, Facilities Manager; and Jayme Lopko, Senior Planner

DATE: January 9, 2014

SUBJECT: Yard Debris Removal Options

RECOMMENDATION:

That the Town Council approve the Public Safety Committee's January 6, 2014 recommendation regarding Yard Debris Options. The Public Safety Committee, by a vote of 3-0, recommended that Council support a modified Option 4 (see attached memo for all options). Specifically, that: (1) Staff's 2- pronged public education effort continue; (2) that the town provide yard debris drop-off sites on town-owned property, for one week in the spring (beginning 2014) and one in the fall and that the town pay for yard debris removal costs from town-owned property ; (3) that staff evaluate the drop-off program after the fall service; and (4) that town staff facilitate an effort whereby residents and community organization(s) take the lead to identify those unable to transport yard debris and organize a community-based volunteer program to pick-up yard debris and transport to town drop-off sites

SUMMARY:

A team of staff members has identified yard debris pick-up options and public education measures to address the adoption of Ordinance No. 2013-12 and its perceived impact on residents. Those options are identified in the attached memo.

BACKGROUND:

As a result of the adoption of Ordinance No. 2013-12, that, in part, prohibited the open burning of items including, but not limited to: waste wood, pine straw, leaves, grass, or trash, the Public Safety Committee expressed a desire to identify yard debris pick-up options for those perceived to be affected by the adoption of the ordinance. Additionally, the Committee desired that staff work with residents to develop options. In the meantime, staff began to develop public education efforts to inform residents about the adopted Ordinance and to develop public information efforts designed to inform residents about treating yard debris (composting/mulching).

Ordinance No. 2013-12 was adopted for the following reasons: (1) smoke from outdoor burning in populated areas can present serious health hazards to individuals with respiratory ailments; (2) smoke from outdoor burning is a common cause of nuisance complaints between neighbors and is often a public nuisance impacting residents and visitors; and (3) outdoor burning that triggers nuisance complaints place demands on resources of the Fire and Rescue Department.

MEETINGS WITH WARD REPRESENTATIVES AND COMMUNITY GROUPS:

Senior Planner Jayme Lopko and Facilities Manager Julian Walls met with over half a dozen residents from Ward 1 and 3 to discuss the yard debris issue. Here is a summary of comments from residents:

- Repeal Ordinance No. 2013-12.
- Have the town provide yard debris dump sites in various locations in Ward 1 and suggest to the county that it not limit daily drop-offs (Convenience Center) to two. They desire the county utilize more Convenience Center dumpsters, particularly during the spring and fall.
- Some disfavor an income-based eligibility program.
- They desire the town implement an education program re Ordinance No. 2012-13.
- A desire for the town to survey residents to determine the number who burn, how often, what is burned, ability to take debris to the Convenience Center, and the ability to bag and take debris to the curbside.
- They would like to create an economic opportunity in their communities by selecting a landscaper from their community to pick-up yard debris and have the town pay for the program.

In addition to meeting with residents, staff spoke with Deepwell to assess its interest in participating in a yard debris program. Deepwell stated it did not have the capacity to undertake a yard debris program. Staff also spoke with the Community Foundation of the Lowcountry for ideas as to what Island organizations could undertake some yard debris pick-up program, however, at this time, no particular organization has been identified.

PUBLIC EDUCATION COMPONENT:

As a result of the adoption of Ordinance No. 2013-12, Fire and Rescue Staff began to implement a public awareness campaign to publicize key elements of the Ordinance. They have accomplished the following:

- HILTON HEAD PSD – Included information on mailed bills starting the week of 11/25/13 and will remain on bills into February in order to hit all cycles (approx. 12,000 accounts), at no cost to the town. The following message is included in bills:

LEARN BEFORE YOU BURN! As of November 10, 2013 open burning of yard debris within the Town of Hilton Head Island is no longer permitted. Some open burning is still legal with certain restrictions. Visit www.hiltonheadislandsc.gov/departments/fire/openburn.cfm to Learn before you burn!

- Broad Creek PSD – Will also include the above information in their mailed bills – not sure of the date yet waiting for a proof back from the company that does their bills – approximately .16 an insert (1,500 accounts).
- South Island PSD- Above information will be placed on its web site, at no cost to the town. Additionally, will also include above information in their mailed bills at next billing cycle.
- Request made of Palmetto Electric to send above information out in its bills – have received no response.

- Town Website updated to reflect changes.
- Pamphlet regarding burning was developed and some in-house copies made to give to stations until bulk printing job received.
- Have drafted ads for both the Island Packet and the La Isla – waiting for proofs to go forward with printing.
- Being sent to over 1,400 Gov Delivery (town e-subscription service) participants and, for example, 1,200 tweets were sent December 16th.

In addition to addressing the impact of Ordinance No. 2013-12, town staff (Sustainable Practices Coordinator) has developed an education program and ideas that seek to educate residents on measures to handle yard landscape debris, and they are:

1. Educate Island residents about how to use their trees' shed leaves as mulch in their landscape and vegetable gardens. Since these leaves add nutrients to the soil, residents can save money, time and storm water pollution by using leaves instead of chemical fertilizers. Platforms for this education can include:
 - One page inserts with information in utility bills on how and why to mulch/compost.
 - Electronic information on Town's website, POA websites, and "Our Town" Newsletter.
 - Articles in POA newsletters, church newsletters, Island Packet, La Isla.
 - Presentations at annual POA resident meetings.
 - Presentations for residents in their communities – these presentations can utilize town staff, as well as work with Clemson Extension and Master Gardeners.
2. Hold a twice a year "Yard Debris Roundup", (like annual Beach Sweep) in cooperation with community groups such as the Boy/Girl Scouts, the Boys and Girls Club, Rotary, Schools etc. Businesses that are interested in "giving back to the community" could also be involved. Considerable planning would be required for this effort and one entity would need to take the lead. Issues such as eligibility would need to be established.
3. Work with the Fire and Rescue Department to have information on mulching/composting added to many of their public outreach materials and events.
4. The Town's designation as an MS-4 (Municipal Separate Storm Sewer System) community, which becomes effective January 2014, requires that we educate our residents and visitors about storm water and the ways they can help the Town solve our storm water problems. One of these problems deals with illegal dumping of leaves in drainage ditches and storm drains. So, education on using leaves as a resource for soil health rather than garbage to be disposed of can become part of our storm water education campaign as well.

OPTION 1:

The town would provide a yard debris drop-off site(s) on its property for all residents for one week in the fall and one week in the spring. The town would either purchase a chipper(s) or contract with a commercial landscape company or tree service to perform the service.

PROS:

- Provides residents who do not have yard debris programs (versus many PUD's that do) the opportunity to dispose of yard debris at no cost.
- Sites would be located on town property within affected Wards where most burning occurs.
- Represents less demand on town staff time compared to e.g. income-based eligibility program (see Option 2) where staff picks up curbside yard debris.

CONS:

- Doesn't provide residents with curbside pick-up.
- Creates service for all residents, far exceeding the real or perceived impact on a few residents now unable to burn or remove debris.
- Cost to purchase a 7" chipper is approximately \$15,000.00. If 2 sites are required, cost for (2) 7" chippers is: approximately \$30,000.00.
- If staff performs chipping service, would require 2 or more Facilities Management staff to manage operation, thereby taking away staff away from normal duties (particularly meaningful in the spring) possibly triggering overtime need from others. If staff rents a chipper: cost is between \$110-\$400 per day. The chipped debris may be removed by either commercial truck e.g. 20 yard capacity at a cost of approximately \$400 per load or by a removal company using 40 yard dumpsters at a cost of approximately \$310 per load.
- If a contractor is used assuming a 2 man crew, cost (chipper and debris removal) could be about \$250/hour. So, for an 8 hour per day service x 7 days for a week costs \$14,000.00 x twice per year equals \$28,000.00.
- Town competes with private sector.

OPTION 2:

The town would create a curbside yard debris pick-up program for income eligible residents for one week in the fall and one week in the spring (council would determine whether 1 or 2 weeks each season is sufficient). A description of the program, income eligibility, and process is found on the next page “Yard Debris Removal Assistance Form”.

PROS:

- Represents an alternative to an Island-wide yard debris program since the program is limited to income eligible persons.
- Would seemingly reflect council’s intent to limit the solution to the perceived problem caused by adoption of Ordinance No. 2013-12 i.e. income eligible persons who may not be able to transport yard debris, now have yard debris picked-up at their home.

CONS:

- Requires the establishment of an income eligibility program by town staff. Staff would need to promote the program; establish internal income eligibility review and approval/qualification process; create databases; depending upon the number of program participants, if town staff (Facilities Management) undertakes pick-ups, it could handle up to only 50 pick-ups per week and this would require: (a) 2 man crew with full size truck and standard debris trailer (6 cubic yards); and (b) 2 – 30 yard dumpsters located at Facilities Management. If we experience e.g. 10 – 30 yard dumpster dumps per week @ \$200 per load that would cost \$2,000 per week. The absence of 2 Facilities Technicians not performing their normal duties for 2 weeks is meaningful.
- In the event more than 50 persons qualified for the program (and that exceeds the ability of Facilities Management to handle), our preliminary estimates of contracting for private companies (assumes a 6 cubic yard trailer) to handle pick-ups are:
Based on 50 residents - \$60 per resident
Based on 100 residents - \$55 “
Based on 150 residents - \$50 “

Therefore, whether Facilities Management is handling pick-ups or the town contracts for the service, there is a cost factor to consider.

- An island-wide income eligibility program may result in a large-scale operation that exceeds council’s intent.
- Some Ward members expressed hesitation in requiring persons to provide income information to the town.
- The program limits e.g. pick-ups to one each week, and restricts limb length and size.
- Town competes with the private sector.
- Curbside pick-up (hauling a trailer) for many properties e.g. if on U.S. 278, is dangerous.
- Significant staff time would be consumed by the program.



Town of Hilton Head Island
Facilities Management
12A Gateway Circle
Hilton Head Island, SC 29926
Phone: 843-342-4580 Fax: 843-682-2043
www.hiltonheadislandsc.gov

FOR OFFICIAL USE ONLY	
Date Received: _____	
Approved	Denied
<input type="checkbox"/>	<input type="checkbox"/>

YARD DEBRIS REMOVAL ASSISTANCE FORM

The Town of Hilton Head Island adopted an ordinance on November 5, 2013 that prohibits open burning due to possible fire and health hazards. The Town has created a program to provide yard debris removal for qualified households based on annual income criteria developed by the Town.

Name of Residential Customer: _____
Physical Address: _____
City: _____ State: _____ Zip: _____
Mailing Address (if different from above): _____
City: _____ State: _____ Zip: _____
Phone Number(s): _____

PROGRAM: Qualifying households will receive one free pick-up of yard debris during each time period of one specified week in April and one specified week in November each year. Leaves, pine straw, grass clippings and pine cones must be placed in bags. Bags are limited to a maximum weight of 30 pounds each. Limbs are limited to 6 inches in diameter and 6 feet in length. All yard debris must be placed adjacent to the street in front of the approved address for pick-up during the weeks above. Violations from the above criteria may result in disqualification from the program.

CRITERIA: To qualify, the total annual gross household income may not exceed:

1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
\$24,450	\$27,950	\$31,450	\$34,900	\$37,700	\$40,500	\$43,300	\$46,100

Income eligibility for this program shall be re-verified upon request by the Town and at a minimum of every 2 years.

PROCESS: Residents must submit this completed application to the Town, along with all required documents deemed necessary to provide proof of income. Approved addresses will be added to a list for notification of pick-up dates each year.

ANNUAL INCOME: \$ _____

(Includes all wages, salaries, disability income, social security, pensions, dividends, interest income, alimony, child support, etc. (for the entire household) Proper documentation must be provided. If you filed taxes the previous year, please provide a copy of you 1040, 1040A, or 1040EZ form which shows your annual gross income. If you did not file a tax return, please provide documentation of all income from the above, including year-end statements, W-2s, etc.)

I hereby affirm the above information to be true and correct to the best of my knowledge.

Signature: _____ Date: _____

OPTION 3:

Ward representatives suggested that the town provide yard debris dumpsters in several Ward locations and that Beaufort County allow more (year round) drop-offs than the 2 a day Convenience Center drop off limit. Previous to this suggestion, town staff asked the county to consider allowing more drop-offs during the spring and fall (thereby increasing the number of dumpster hauls).

PROS:

- Allows residents the opportunity to take their yard debris to a dumpster throughout the year.
- Allows for more yard debris drop-offs at the Convenience Center.

CONS:

- Placing dumpsters in various locations without monitoring is problematic. Loads will be mixed with non-yard debris items. Commercial dumping will occur. Hazardous waste dumping will occur. Yard debris may be dumped on ground not in dumpster.
- Town providing service in competition with private sector and the Convenience Center (if a resident can drop-off at a dumpster in a Ward can they not do same at Convenience Center?).
- Doesn't address perception of need for curb side pick-up.
- Town assumes cost of providing dumpsters and hauling away.
- If dumpsters are placed in neighborhoods, unwanted noise and views will be created.
- The County's position (paraphrased) with regard to increased landscape debris Convenience Center drop-offs and dumpster pulls is:

There are currently two 40 cubic yard containers for yard waste at the Hilton Head Convenience Center. As the containers become filled, the attendants call in the containers to the county hauling contractor which by contractor has 4-5 hours to respond with an empty container to replace a full one.

A standard pickup with a 4 x 8 foot bed piled 3 feet high is 96 cubic feet; 27 cu ft. to a cubic yard; 12 pickups can fill up a container. On average there are currently 28,000 patrons at that center each month, with weekend traffic at peak times exceeding 100 patrons an hour. If a resident arrives at a center with yard waste and all containers are full at that facility, they are directed to take the waste to the next nearest Convenience Center (in the case of Hilton Head, to Bluffton).

As designed, there is no space at Hilton Head Convenience Center for additional containers. The County could take away the container for white goods and scrap metal and replace with a yard waste container. Residents would then have to travel to Simmonsville Rd. in Bluffton with their white goods and scrap metal for drop-off. Placing a container elsewhere at the Convenience Center, in the county's opinion, is not workable and would create hazards, along with multiple other issues.

The County provides a solution of the 2 loads per day limitation to all County residents. If a resident has more material than 2 loads, residents may transport their material directly to the landfill or pay a commercial hauler to transport it there. The County could not make an exception solely for Town of Hilton Head Island residents. The purpose of the Convenience Center is for single family residents to dispose of waste in small household quantities which, by definition, the county has limited to two loads a day.

OPTION 4:

Allow for the existing public education effort regarding adopted Ordinance 2012-13 to work, and for the public education effort regarding mulching/composting (both previously mentioned), for one year, then assess the success or failure of the effort. Additionally, seek a community-based organization (organization) to take the lead in establishing a semi- annual “Yard Debris Roundup” program for persons identified by ward representatives as needing assistance. The organization would provide curbside pick-up and deliver (county unable to handle more than 2 drop-offs and regulates load size as well) to a landfill.

PROS:

- Creates a community-based solution to a perceived problem.
- Creates a sense of community by having several organizations work together for a common cause. Meets with town council’s Destination 2029 Guiding Principle of “Working together and volunteering for the greater good of the Hilton Head Island Community”.

CONS:

- Cost of trailers/truck/landfill could be high.
- Vehicle/trailer may have to be licensed.
- Issues of qualifications of those needing assistance must be made.
- Could be a time-consuming effort given number of participants.